

Applicants: Helge Ahrens et al.
Application No. 09/955,852
Response to Office Action dated June 30, 2003

REMARKS

Applicants respectfully request reconsideration and allowance of this application in view of the following comments.

Claims 2 and 4-12 are pending. At the outset, Applicants point out that previous claim 1 was canceled in favor of new claim 11 in Applicants' Amendment filed on April 18, 2003.

Rejections under 35 U.S.C. 103

The Examiner rejected claims 2 and 4-12 under 35 U.S.C. 103(a) as being obvious over Samuelsen (U.S. Patent No. 4,867,748) or Jensen (U.S. Patent No. 5,591,447) in view of Heinecke et al. (U.S. Patent No. 6,264,976). The Examiner found Samuelsen to teach a wound dressing comprising a sealing pad that is beveled along its outer edge in its thickness. According to the Examiner, Jensen teaches a wound dressing comprising a backing layer of polyurethane or polyamide, a removable release layer and an adhesive layer comprising polyurethane. The Examiner concedes the above-mentioned references do not teach an adhesive layer between the carrier film and the matrix, the exact thickness of the flanges as instantly claimed, or the active agents in the matrix. The Examiner found Heinecke to teach a wound dressing comprising a backing layer and absorbent pad wherein the surface of the backing adjacent to the absorbent medicated pad is supplied by adhesive layer to secure the pad to the backing.

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The Examiner ultimately found it would have been obvious to provide a wound dressing that bevels toward the edge and includes active ingredients in the matrix layer, and an adhesive layer between the backing and the absorbent pad of the Heinecke reference.

In response, Applicants submit a person skilled in the art would not have been led to the present invention by a combination of the references. Applicants point out that in Heinecke, the adhesive layer is between the backing and the absorbent pad, wherein the liner is adhered to the other side of the absorbent pad. The Examiner appears to analogize the absorbent pad to the instantly claimed polyurethane matrix, as evidenced by the Examiner's comment at page 4 of the Office Action reciting "the pad is centrally located on the adhesive". However, Applicants refer the Examiner to instant claim 11, which requires the adhesive layer to be between a carrier film and the polyurethane matrix. Applicants submit the backing in Heinecke is not analogous to the instantly claimed carrier film. Backing materials in Heinecke are recited at column 7, lines 9-13, wherein they include "nonwoven fibrous webs, fibrous webs, woven fibrous webs, knits, films and other familiar backing materials. The preferred backing materials are translucent or transparent polymeric elastic films." See Heinecke, column 7, lines 9-13. In contrast, the carrier films in the instant invention are exemplified at page 6, lines 21-24 of the specification and by instant claim 5 which claims polyurethane, polyethylene, polypropylene, polyamide or polyester. Heinecke, at column 8, lines 36-39, refers to these substances as preferred release liner materials. The Examiner has not made any showing that the backing in Heinecke is analogous or interchangeable with the instantly claimed carrier

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film, and in the absence of such a showing the claims are not rendered obvious by a combination of the references.

In view of the foregoing, Applicants submit that the Examiner would be fully justified to reconsider and to withdraw the rejection. An early notice that this rejection has been reconsidered and withdrawn is, therefore, earnestly solicited

Closing

Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.